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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 9 and 721**

**[EPA-HQ-OPPT-2018-0567; FRL-9986-15]**

**RIN 2070-AB27**

### **Significant New Use Rules on Certain Chemical Substances; Withdrawal**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** EPA is withdrawing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for 28 chemical substances, which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final rulemaking procedures, which requires EPA to take certain actions if an adverse comment is received. EPA received adverse comments and a request to extend the comment period regarding the SNURs identified in the direct final rule. Therefore, the Agency is withdrawing the direct final rule SNURs identified in this document, as required under the direct final rulemaking procedures.

**DATES:** The direct final rule published at 83 FR 47004 on September 17, 2018 is withdrawn effective *[Insert date of publication in the Federal Register]*.

18T-0272

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2018-0567, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** *For technical information contact:*

Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: [moss.kenneth@epa.gov](mailto:moss.kenneth@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Does this Action Apply to Me?**

A list of potentially affected entities is provided in the **Federal Register** of September 17, 2018 (83 FR 47004) (FRL-9983-14). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

## **II. What Direct Final SNURs are Being Withdrawn?**

In the **Federal Register** of September 17, 2018 (83 FR 47004) (FRL-9983-14), EPA issued direct final SNURs for 28 chemical substances that are identified in the document. Because the Agency received adverse comments and a request to extend the comment period regarding the SNURs identified in the document, EPA is withdrawing the direct final SNURs issued for these 28 chemical substances, which were the subject of PMNs. In addition to the direct final SNURs, elsewhere in the same issue of the **Federal Register** of September 17, 2018 (83 FR 47026) (FRL-9983-59), EPA issued proposed SNURs covering these 28 chemical substances. EPA will address all adverse public comments in a subsequent final rule, based on the proposed rule.

## **III. Good Cause Finding**

EPA determined that this document is not subject to the 30-day delay of effective date generally required by the Administrative Procedure Act (APA) (5 U.S.C. 553(d)) because of the time limitations for publication in the **Federal Register**. This document must publish on or before the effective date of the direct final rule containing the direct final SNURs being withdrawn.

#### **IV. Statutory and Executive Order Reviews**

This action withdraws regulatory requirements that have not gone into effect and which contain no new or amended requirements and reopens a comment period. As such, the Agency has determined that this action will not have any adverse impacts, economic or otherwise. The statutory and Executive Order review requirements applicable to the direct final rules were discussed in the September 17, 2018 **Federal Register** (83 FR 47004). Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

#### **V. Congressional Review Act (CRA)**

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2). Section 808 of the CRA allows the issuing agency to make a rule effective sooner than otherwise provided by CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary, or contrary to the public interest. As required by 5 U.S.C. 808(2), this determination is supported by a brief statement in Unit III.

## **List of Subjects**

### *40 CFR Part 9*

Environmental protection, Reporting and recordkeeping requirements.

### *40 CFR Part 721*

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 5, 2018.

Lance Wormell,

*Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Accordingly, the amendments to 40 CFR parts 9 and 721 published on September 17, 2018 (83 FR 47004), are withdrawn effective [*insert date of publication in the Federal Register*].

[FR Doc. 2018-24973 Filed: 11/15/2018 8:45 am; Publication Date: 11/16/2018]